

11/9/92 1048 [redacted] 67C

1 CHARLES R. GARRY  
2 GARRY, DREYFUS, McTERNAN, BROTSKY,  
3 HERNDON & PESONEN, INCORPORATED PLLC  
4 1256 MARKET STREET AT CIVIC CENTER  
5 SAN FRANCISCO, CALIFORNIA 94102  
6 TEL: 864-3131

INDEXED
FILED
ASSIGNED

DEC 3 - 1973  
 CARL M. GLENN  
 BY \_\_\_\_\_

7 ATTORNEYS FOR PETITIONER

8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO

10 PEOPLE'S TEMPLE OF THE )  
 11 DISCIPLES OF CHRIST, )  
 12 )  
 13 )  
 14 )  
 15 )  
 16 )

NO. 840551  
 PETITION FOR COURT DECREE  
 UPON WINDING UP AND  
 DISSOLUTION  
 (Corp. Code, Sec. 9801)

Petitioner,

v.

THE ATTORNEY GENERAL OF CALIFORNIA,

Respondent.

17 I

18 Petitioner is a California Corporation formed under  
 19 Section 9000-9802 of the California Corporations Code, with  
 20 its principal place of business in San Francisco. The articles  
 21 of incorporation, with amendments, are attached as Exhibit A,  
 22 and incorporated herein by this reference.

23 II

24 This petition is filed to obtain a court decree directing  
 25 the disposition of its assets.

26 ///

HERNDON & PESONEN, INC.  
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III

On December 4, 1978, the corporation voluntarily elected to wind up and dissolve, and to petition this Court for a decree, as authorized by Article IX(d) of the Articles of Incorporation.

IV

This voluntary election to wind up and dissolve was made by the unanimous vote of the surviving Directors in San Francisco.

V

The election to wind up and dissolve was made in light of the tragedies that occurred in Jonestown, Guyana. It is practically and morally impossible for the corporation to continue its existence. It is the desire of the corporation to devote its assets to recompense the families of the victims of the events in Guyana and to pay claims against the corporation that may be established to the satisfaction of the court.

VI

The corporation holds various assets, a complete inventory of which shall be deposited with the Court as soon as possible.

VII

The corporation has been served with summons in several pending lawsuits, to wit:

- Katsaris v. People's Temple, et al.  
No. 39911, Superior Court, Mendocino County
- Cobb v. People's Temple, et al.  
No. 739 907, Superior Court, City & County of San Francisco

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1 Medlock v. People's Temple, et al.  
2 No. C243 292, Superior Court, Los Angeles County

3 The corporation is also named plaintiff in:

4 People's Temple, et al. v. Stoen  
5 No. 740 531, Superior Court, City & County of San Francisco

6 VIII

7 The corporation petitions the Court to take possession  
8 of all the corporation's assets, and to direct their equitable  
9 and legal distribution in accordance with law. Until such time  
10 as the Court takes possession, the present Board of Directors  
11 will continue to receive and disburse funds, keeping an account  
12 of the same, including payment for burial expenses, in the sum  
13 of approximately one million dollars (\$1,000,000.00).

14 IX

15 The Attorney General of California is named as Respondent  
16 as a required party in a proceeding authorized by Section 9801  
17 of the California Corporations Code.

18 WHEREFORE, petitioner prays for:

19 1. An order decreeing that the People's Temple of the  
20 Disciples of Christ is dissolved.

21 2. An order by which the Court takes possession of the  
22 corporation's assets.

23 3. An order decreeing that all those with monetary or  
24 other claims against the corporation be afforded some length of  
25 time in which to file their claims against the corporation.

26 4. An order directing the distribution of the corpora-  
tion's assets to the claimants, and otherwise as the Court may

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order.

5. An order directing the corporation and its Attorney of Record how to proceed in those legal proceedings in which the corporation is named defendant or plaintiff.

6. Such other relief as the Court may deem proper.

DATED: December 4, 1978

CHARLES R. GARRY  
GARRY, DREYFUS, McTERNAN, BROTSKY,  
HERNDON & PESONEN, INC.

By Charles R. Garry  
Charles R. Garry  
Attorneys for Petitioner (W)

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